

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 04-12346 MLW

MARLOW WILLIAMS, SR.,
Plaintiff.

v.

GRANT CALLENDAR, OTIS
HAREWOOD, GREG LONG,
BRIAN ALBERT, EDWARD
MEADE, JOHN CONROY, AND
THE CITY OF BOSTON,
Defendants.

**DEFENDANTS GRANT CALLENDAR, OTIS HAREWOOD, GREG LONG, BRIAN
ALBERT, EDWARD MEADE, JOHN CONROY, AND THE CITY OF BOSTON'S
MOTION TO DISMISS FOR FAILURE TO PROSECUTE
PURSUANT TO FED.R.CIV.P. 41(B).**

The Defendants, Boston Police Officers Grant Callendar, Otis Harewood, Greg Long, Brian Albert, Edward Meade, John Conroy, and the City of Boston ("Defendants"), hereby move pursuant to Fed.R.Civ.P. 41(b) for dismissal of the Plaintiff's Complaint for failure to prosecute. The Plaintiff has been dilatory in his prosecution of this case and has not pursued his case in an active and responsible manner. The Plaintiff, Marlow Williams ("Plaintiff"), currently incarcerated out-of-state for an extended duration through 2014, has failed to conduct any discovery, has failed to respond to Defendants' interrogatories and document requests, and has failed to make himself available for trial on October 30, 2006. Accordingly, Plaintiff's lack of prosecution warrants dismissal of this case.

Respectfully submitted,
DEFENDANTS, GRANT CALLENDAR,
OTIS HAREWOOD, GREG LONG, BRIAN
ALBERT, EDWARD MEADE, JOHN
CONROY, AND CITY OF BOSTON
William F. Sinnott
Corporation Counsel
By their attorneys:

/s/ Helen G. Litsas
Helen G. Litsas, BBO #644848
Thomas R. Donohue BBO #643483
Assistant Corporation Counsel
City of Boston Law Department
Room 615, City Hall
Boston, MA 02201
(617) 635-4023 – Litsas
(617) 635-4039 – Donohue

CERTIFICATE OF SERVICE

It is unclear whether Plaintiff was served both the Defendants' Motion to Dismiss for Failure to Prosecute and the Defendants' Memorandum in Support of said Motion. Accordingly, Defendants hereby certify that on this date I served a copy of both documents upon: the pro se plaintiff, Marlow Williams, Sr., Prisoner # 249470, 1045 Mullins Station Rd., Memphis, TN 38134, by postage prepaid, first class, U.S. Mail.

<u>11/16/06</u>	<u>/s/ Helen G. Litsas</u>
Date	Helen G. Litsas